

REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of April 8, 2009. Claims 3-6 have been canceled. Claims 1, 2 and 9-13 have been amended. New claim 14 has been added. Claims 1, 2 and 7-14 remain in the application.

Reconsideration of the Application is requested.

The Office Action

The Examiner objected to claims 5, 7, 10, 12 and 13 because of informalities. The following amendments have been made: Claim 5 was canceled. Claim 1 was amended to recite "...transmitting a multimedia messaging services (MMS)-standardized point-to-point link notification...". Claims 10 and 12 were amended to change "said terminal" to --said mobile terminal--. Claim 13 was amended to change "said terminal said terminal" to --said mobile terminal--.

The Examiner rejected claim 7 under 35 U.S.C. §112, second paragraph as lacking antecedent basis for "the point-to-point link notification". The amendment to claim 1, as described above, provides antecedent basis for this claim term.

The Examiner rejected claims 1, 4, 5, 9, 11 and 12 under 35 U.S.C. §103(a) as being unpatentable over WO 03/045064 to Lipsanen in view of U.S. Publication No. 2004/0171383 to Fingerhut. The Examiner rejected claims 3 and 6 under 35 U.S.C. 103(a) as being unpatentable over Lipsanen and Fingerhut and further in view of NPL document, "MMS-Building on the success of SMS" to Novak.

Amended independent claim 1 has been amended to more particularly point out and distinctly claim a method of transmission of Multimedia Messaging Services (MMS) content to a plurality of mobile terminals by incorporating the limitations of dependent claims 3-6, which have been canceled.

Amended independent claim 11 has been amended to more particularly point out and distinctly claim a method of reception of Multimedia Messaging Services (MMS) content by a plurality of mobile terminals by including limitations similar to those recited in claim 1.

The Examiner stated Lipsanen teaches the first claimed step claimed in amended claim 1 of the first server transmitting an identifier specific to a content over a

dedicated point-to-point transmission channel to a plurality of terminals registered with said first server as interested in said content.

Applicant contends that this reference teaches a fundamentally different approach to broadcasting information to mobile terminals and uses an entirely different technology than is claimed in amended claim 1. Lipsanen, teaches a hybrid telecommunications system including a DVB-T network server (130) capable of broadcasting and a UMTS/GPRS mobile telecommunications server (120). While arguments can be made that Lipsanen teaches the sending of multimedia information, this reference does not teach or suggest a multimedia messaging services center (MMSC) server transmitting a multimedia messaging services (MMS)-standardized point-to-point link notification over a radiocommunication network as claimed in amended claim 1. That is, Lipsanen does not teach the use of an MMS system sending MMS-compatible messages.

Also, Lipsanen does not teach a first step in which an MMSC server sending an MMS-standardized point-to-point link notification over a radiocommunication network to all terminals registered with said MMSC server. Rather, Lipsanen teaches the use of a mobile terminal accessing a portal page hosted on a Telecom/Portal server 120 which is fetched therefrom. The user's terminal browser sends a "get n" message to the server. In response, the server 120 sends a request to the Broadcast server 130 for service parameters. The broadcast server 130 sends these parameters to the server 120 via IP protocol messages, wherein the server 120 then sends them to the mobile terminal. Lipsanen does not teach or suggest the use of an MMS notification message which is not a reply or acknowledgement message such as is taught by Lipsanen. Lipsanen requires the user to contact the first server to register their interest in receiving information about the broadcast thereby sending the server a "get n" message, which is a request message, requesting the information about the broadcast. The server forwards service parameters about the broadcast, it subsequently requests from the broadcast server 130, to the mobile terminal in response to the "get n" request.

The Examiner stated Fingerhut teaches the second claimed step in amended claim 1 of the first point-to-point server transmitting a broadcast request to a second server adapted to provide a broadcast content transmission server the broadcast

request including the content in its entirety and an identifier for the content. However, Fingerhut does not teach an MMSC server transmitting an MMS broadcast request to an MBMS-standardized BM-SC server which includes the MMS content in its entirety and the identifier as claimed in amended claim 1. Fingerhut does not teach or suggest an MMS system, but rather merely discusses sending a payload for broadcast. The Examiner has not made a prima facie case of obviousness by simply pointing to MMS standards in Novak as a conclusory inference of obviousness, as was done in reference to dependent claims 3 and 6 the limitations of which have been incorporated into claim 1.

For these reasons, amended claim 1 patentably distinguishes over Lipsanen in view of Fingerhut, as well as Lipsanen in view of Fingerhut and further in view of Novak, as do claims depending therefrom.

Amended claim 11 patentably distinguishes over Lipsanen in view of Fingerhut, for reasons similar to those provided above with reference to amended claim 1, as do claims depending therefrom.

CONCLUSION

For the reasons detailed above, it is respectfully submitted that all claims remaining in the application (Claims 1, 2 and 7-14) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.


In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to telephone Patrick Floyd, at 216.363.9000.

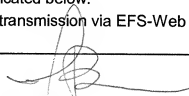
Respectfully submitted,

Fay Sharpe LLP

July 8, 2009

Date


Patrick D. Floyd, Reg. No. 39,671
The Halle Building, 5th Floor
1228 Euclid Avenue
Cleveland, Ohio 44115-1843
216.363.9000

Certificate of Mailing or Transmission	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being	
<input type="checkbox"/> deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop None, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.	
<input checked="" type="checkbox"/> transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below.	
Express Mail Label No.:	Signature: 
Date: July 8, 2009	Name: Jessica R. Boyd